

17.09.2021
Item No.7
Ct. No.7
CHC
(Disposed of)

**C.O.1472 of 2021
(Physical Hearing)**

**Subir Das
Vs.**

**Sri Sri Mangal Chandi represented by Sri Tapan
Kumar Das alias Sri Tapan Das & ors.**

Mr. Amritam Mandal,
Ms. Ananya Chakraborty
...for the petitioner

The Court is approached under Article 227 of the Constitution of India, soliciting a direction to ensure expeditious disposal of pending interlocutory application filed by the petitioner in Misc.Case No.33 of 2020 under Section 3 of the Charitable and Religious Trust Act, now pending before the learned Civil Judge (Junior Division), Sealdah.

Mr. Amritam Mandal, learned advocate representing the petitioner/defendant submits that making suppression of material facts, the opposite parties obtained an ad interim order of injunction. To challenge the suppression of material facts, petitioner has already taken out two applications, one under Order XXXIX Rule 4 of the C.P.C. filed on 12th January, 2021 and another application challenging

the maintainability of the Misc.Case on the same date.

It is contended by the learned advocate for the petitioner that both the petitions filed by the petitioner could not be disposed of by the learned court below.

Upon perusal of the impugned order, it appears that an application for amendment filed by the opposite parties is also pending hearing.

In view of the nature of the order proposed to be made and the point sought to be addressed by this Court, the Court is of the view that the instant revisional application may be disposed of instantly even without securing presence of the opposite parties. Accordingly service of notice upon the opposite parties stands dispensed with.

Learned Civil Judge (Junior Division), 2nd Court, Sealdah, in connection with Misc.Case No.33 of 2020, is directed to dispose of the pending interlocutory applications, filed by both the parties to this case, expeditiously so that the logical conclusion of the pending Misc.Case may be reached at an early date.

Petitioner is directed to make communication of this order to the learned court below as well as to the opposite party and their learned advocates so that both the parties may come prepared for effective utilization of the dates, scheduled by the learned

court below in order to ensure expeditious disposal of the pending Misc.Case.

With this direction/observation, the instant revisional application stands disposed of.

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)